



Rep. Esther Golar

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09500HB5019ham002

LRB095 15142 RPM 49145 a

1 AMENDMENT TO HOUSE BILL 5019

2 AMENDMENT NO. _____. Amend House Bill 5019, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Children's Health Insurance Program Act is
6 amended by adding Section 65 as follows:

7 (215 ILCS 106/65 new)

8 Sec. 65. Fee schedule. Beginning on January 1, 2009,
9 reimbursement for any physician service must not be lower than
10 60% of Medicare reimbursement in accordance with the Medicare
11 payment localities for Illinois. The physician fee schedule
12 rates must be adjusted to no lower than 80% of Medicare
13 reimbursement by January 1, 2010, and no lower than 100% of
14 Medicare reimbursement by January 1, 2011. All adjustments
15 shall be made without lowering any existing rates that may be
16 higher than the level required by this Section. Reimbursement

1 rules and policies shall not be more restrictive than Medicare
2 physician payment rules and policies by January 1, 2010.
3 Payment for services must be made within 30 days after receipt
4 of a bill or claim for payment in accordance with Section 368a
5 of the Illinois Insurance Code.

6 Notwithstanding any other rulemaking authority that may
7 exist, neither the Governor nor any agency or agency head under
8 the jurisdiction of the Governor has any authority to make or
9 promulgate rules to implement or enforce the provisions of this
10 amendatory Act of the 95th General Assembly. If, however, the
11 Governor believes that rules are necessary to implement or
12 enforce the provisions of this amendatory Act of the 95th
13 General Assembly, the Governor may suggest rules to the General
14 Assembly by filing them with the Clerk of the House and the
15 Secretary of the Senate and by requesting that the General
16 Assembly authorize such rulemaking by law, enact those
17 suggested rules into law, or take any other appropriate action
18 in the General Assembly's discretion. Nothing contained in this
19 amendatory Act of the 95th General Assembly shall be
20 interpreted to grant rulemaking authority under any other
21 Illinois statute where such authority is not otherwise
22 explicitly given. For the purposes of this amendatory Act of
23 the 95th General Assembly, "rules" is given the meaning
24 contained in Section 1-70 of the Illinois Administrative
25 Procedure Act, and "agency" and "agency head" are given the
26 meanings contained in Sections 1-20 and 1-25 of the Illinois

1 Administrative Procedure Act to the extent that such
2 definitions apply to agencies or agency heads under the
3 jurisdiction of the Governor.

4 Section 10. The Covering ALL KIDS Health Insurance Act is
5 amended by adding Section 52.5 as follows:

6 (215 ILCS 170/52.5 new)

7 Sec. 52.5. Fee schedule. Beginning on January 1, 2009, the
8 physician fee schedule for the Covering ALL KIDS Insurance
9 Program for any physician service must not be lower than 60% of
10 Medicare reimbursement in accordance with the Medicare payment
11 localities for Illinois. The physician fee schedule rates must
12 be adjusted to no lower than 80% of Medicare reimbursement by
13 January 1, 2010, and no lower than 100% of Medicare
14 reimbursement by January 1, 2011. All adjustments shall be made
15 without lowering any existing rates that may be higher than the
16 level required by this Section. Reimbursement rules and
17 policies shall not be more restrictive than Medicare physician
18 payment rules and policies by January 1, 2010. Payment for
19 services must be made within 30 days after receipt of a bill or
20 claim for payment in accordance with Section 368a of the
21 Illinois Insurance Code.

22 Notwithstanding any other rulemaking authority that may
23 exist, neither the Governor nor any agency or agency head under
24 the jurisdiction of the Governor has any authority to make or

1 promulgate rules to implement or enforce the provisions of this
2 amendatory Act of the 95th General Assembly. If, however, the
3 Governor believes that rules are necessary to implement or
4 enforce the provisions of this amendatory Act of the 95th
5 General Assembly, the Governor may suggest rules to the General
6 Assembly by filing them with the Clerk of the House and the
7 Secretary of the Senate and by requesting that the General
8 Assembly authorize such rulemaking by law, enact those
9 suggested rules into law, or take any other appropriate action
10 in the General Assembly's discretion. Nothing contained in this
11 amendatory Act of the 95th General Assembly shall be
12 interpreted to grant rulemaking authority under any other
13 Illinois statute where such authority is not otherwise
14 explicitly given. For the purposes of this amendatory Act of
15 the 95th General Assembly, "rules" is given the meaning
16 contained in Section 1-70 of the Illinois Administrative
17 Procedure Act, and "agency" and "agency head" are given the
18 meanings contained in Sections 1-20 and 1-25 of the Illinois
19 Administrative Procedure Act to the extent that such
20 definitions apply to agencies or agency heads under the
21 jurisdiction of the Governor.

22 Section 15. The Illinois Public Aid Code is amended by
23 adding Section 5-5.05 as follows:

24 (305 ILCS 5/5-5.05 new)

1 Sec. 5-5.05. Fee schedule. Notwithstanding any other
2 provision of this Article, beginning on January 1, 2009,
3 reimbursement for any physician service must not be lower than
4 60% of Medicare reimbursement in accordance with the Medicare
5 payment localities for Illinois. The physician fee schedule
6 rates must be adjusted to no lower than 80% of Medicare
7 reimbursement by January 1, 2010, and no lower than 100% of
8 Medicare reimbursement by January 1, 2011. All adjustments
9 shall be made without lowering any existing rates that may be
10 higher than the level required by this Section. Reimbursement
11 rules and policies shall not be more restrictive than Medicare
12 physician payment rules and policies by January 1, 2010.
13 Payment for services must be made within 30 days after receipt
14 of a bill or claim or payment in accordance with Section 368a
15 of the Illinois Insurance Code.

16 Notwithstanding any other rulemaking authority that may
17 exist, neither the Governor nor any agency or agency head under
18 the jurisdiction of the Governor has any authority to make or
19 promulgate rules to implement or enforce the provisions of this
20 amendatory Act of the 95th General Assembly. If, however, the
21 Governor believes that rules are necessary to implement or
22 enforce the provisions of this amendatory Act of the 95th
23 General Assembly, the Governor may suggest rules to the General
24 Assembly by filing them with the Clerk of the House and the
25 Secretary of the Senate and by requesting that the General
26 Assembly authorize such rulemaking by law, enact those

1 suggested rules into law, or take any other appropriate action
2 in the General Assembly's discretion. Nothing contained in this
3 amendatory Act of the 95th General Assembly shall be
4 interpreted to grant rulemaking authority under any other
5 Illinois statute where such authority is not otherwise
6 explicitly given. For the purposes of this amendatory Act of
7 the 95th General Assembly, "rules" is given the meaning
8 contained in Section 1-70 of the Illinois Administrative
9 Procedure Act, and "agency" and "agency head" are given the
10 meanings contained in Sections 1-20 and 1-25 of the Illinois
11 Administrative Procedure Act to the extent that such
12 definitions apply to agencies or agency heads under the
13 jurisdiction of the Governor.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law."